

No.

E-filing

CR 12

00583

EJD

UNITED STATES DISTRICT COURT

HRL

2012 JUL 25 P 2:22

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

RICHARD W. WIERING
CLERK, U.S. DISTRICT COURT
N.D. CA - SAN JOSE

THE UNITED STATES OF AMERICA

vs.

JONATHAN HOANG

INDICTMENT

Count One: 18 U.S.C. § 506(a)(2) - Use and possession of a Counterfeit Seal of an Agency of the United States

Count Two: 18 U.S.C. § 912 - Pretending to Be an Officer of the United States

Count Three: 18 U.S.C. § 506(a)(3) - Use and possession of a Counterfeit Seal of an Agency of the United States

A true bill.



Foreperson

Filed in open court this 25th **day of** July

A.D. 2012


UNITED STATES MAGISTRATE JUDGE

Bail. \$ NO PROCEED

MELINDA HAAG (CABN 132612)
United States Attorney

FILED

2012 JUL 25 P 2:22

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
N.D. CALIF. SAN JOSE

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

EJD
HRL

UNITED STATES OF AMERICA,

Plaintiff,

v.

JONATHAN HOANG,

Defendant.

CR 12 00 583

VIOLATIONS: 18 U.S.C. § 506(a)(2) and
(3) – Use and Possession of a Counterfeit
Seal of an Agency of the United States; 18
U.S.C. § 912 – Pretending to Be an Officer
of the United States

SAN JOSE VENUE

INDICTMENT

The Grand Jury charges:

COUNT ONE: (18 U.S.C. § 506(a)(2))

On or about December 1, 2011, in the Northern District of California, the defendant,

JONATHAN HOANG,

did knowingly use, affix, and impress a fraudulently made, forged and counterfeited
seal of an agency of the United States and facsimile thereof, to wit: the seal of the U.S.
Department of Justice Drug Enforcement Administration (DEA), to and upon documents and
papers of any description, specifically, the following documents which the Defendant submitted
as part of an application to rent a house on Stoneyford Court in San Jose, California:

INDICTMENT

- a. A letter on purported DEA letterhead (containing a purported DEA seal), dated November 15, 2011, that claimed to verify that "Mr. Jonathan V. Hoang is currently employed as a US Federal Special Agent with the Cyber Drug Traffic Division of the Drug Enforcement Administration at the San Francisco Division"; and
- b. A memorandum on purported DEA letterhead (containing a purported DEA seal), dated October 14, 2011, that claimed to be from "Drug Enforcement Administration Headquarter" (sic) to "Special Agent Jonathan V. Hoang" that represents that the results of a background investigation in each of three categories (controlled substance test, polygraph and credit check) was "past" (sic);

All in violation of Title 18, United States Code, Section 506(a)(2).

COUNT TWO: (18 U.S.C. § 912)

On or about December 1, 2011, in the Northern District of California, the defendant,

JONATHAN HOANG,

did falsely assume and pretend to be an officer and employee of the United States acting under the authority thereof, that is a Special Agent of the U.S. Department of Justice Drug Enforcement Administration (DEA), and in such assumed and pretended character with intent to defraud did falsely obtain a thing of value, in that, while applying to rent a house on Stoneyford Court in San Jose, California, he falsely stated to the landlord that he was a Special Agent of the DEA and that because of this the landlord could not run a credit check on him, and in reliance on this statement the landlord did not run the credit check on him;

All in violation of Title 18, United States Code, Section 912.

COUNT THREE: (18 U.S.C. § 506(a)(3))

On or about July 20, 2012, in the Northern District of California, the defendant,

JONATHAN HOANG,

with fraudulent intent, possessed a fraudulently made, forged and counterfeited seal of an agency of the United States and facsimile thereof, to wit: the seal of the U.S. Department of Justice Drug Enforcement Administration (DEA), knowing the same to have been so falsely made, forged and

1 counterfeited, to wit, purported credentials issued to a Special Agent of the U.S. Department of
2 Justice Drug Enforcement Administration (DEA), which document contained a DEA seal and a
3 photograph of the defendant and which bore the name "Vu H. Hoang" and "Agent ID# 860501";
4 All in violation of Title 18, United States Code, Section 506(a)(3).

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7 DATED: 7/25/12

A TRUE BILL.

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FOREPERSON

MELINDA HAAG
United States Attorney

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AMBER S. ROSEN
Deputy Chief, San Jose Branch Office

(Approved as to form: Thomas A. Colthurst)
AUSA Thomas A. Colthurst
SAUSA Ann Marie E. Ursini

AO 257 (Rev. 6/78)

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT
 BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☐ SUPERSEDING
OFFENSE CHARGED

SEE ATTACHMENT

- ☐
- Petty
-
- ☐
- Minor
-
- ☐
- Misdemeanor
-
- ☒
- Felony

PENALTY: SEE ATTACHMENT

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION 3

2012 JUL 25 PM 2:23

DEFENDANT - U.S.

JONATHAN HOANG

DISTRICT COURT NUMBER

 CR12 00583 HRL
 DEFENDANT
PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

DEA

- ☐
- person is awaiting trial in another Federal or State Court, give name of court

- ☐
- this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

- ☐
- this is a reprosecution of charges previously dismissed which were dismissed on motion of:
-
- ☐
- U.S. ATTORNEY
- ☐
- DEFENSE

SHOW
DOCKET NO.

- ☐
- this prosecution relates to a pending case involving this same defendant

MAGISTRATE
CASE NO.

- ☒
- prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

CR 12-70818 PSG

IS NOT IN CUSTODY

Has not been arrested, pending outcome this proceeding.

- 1)
- ☐
- If not detained give date any prior summons was served on above charges
-
- 2)
- ☐
- Is a Fugitive
-
- 3)
- ☐
- Is on Bail or Release from (show District)

IS IN CUSTODY

- 4)
- ☒
- On this charge
-
- 5)
- ☐
- On another conviction }
- ☐
- Federal
- ☐
- State
-
- 6)
- ☐
- Awaiting trial on other charges
-
- If answer to (6) is "Yes", show name of institution

 Has detainer been filed? ☐ Yes ☐ No

If "Yes" give date filed

DATE OF
ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED
TO U.S. CUSTODY

Month/Day/Year

Name and Office of Person

Furnishing Information on this form Melinda Haag

☒ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S. Attorney (if assigned)

AUSA Thomas A. Colthurst

☐ This report amends AO 257 previously submitted**ADDITIONAL INFORMATION OR COMMENTS****PROCESS:**☐ SUMMONS ☒ NO PROCESS* ☐ WARRANT

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

Bail Amount: _____

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: _____ Before Judge: _____

Comments:

ATTACHMENT TO PENALTY SHEET

U.S.

v.

JONATHAN HOANG

Counts One : 18 U.S.C. § 506(a)(2)- Use and possession of a Counterfeit Seal of an Agency of the United States

Penalties:

Maximum prison sentence	5 years
Fine	\$250,000
Supervised release term	3 years
Special assessment	\$100

Count Two: 18 U.S.C. § 912 – Pretending to Be an Officer of the United States

Penalties:

Maximum prison sentence	3 years
Fine	\$250,000
Supervised release term	1 years
Special assessment	\$100

Count Three: 18 U.S.C. § 506(a)(2)- Use and possession of a Counterfeit Seal of an Agency of the United States

Penalties:

Maximum prison sentence	5 years
Fine	\$250,000
Supervised release term	3 years
Special assessment	\$100

E-filing

**United States District Court
Northern District of California**

FILED

2012 JUL 25 P 2:22

CRIMINAL COVER SHEET

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
N.D. OF CALIFORNIA

Instructions: Effective January 3, 2012, this Criminal Cover Sheet must be completed and submitted, along with the Defendant Information Form, for each new criminal case. Please place this form on top of the Defendant Information Form.

Case Name:

USA v. JONATHAN HOANG

Case Number:

CR12 00583

EJD

HRL

Total Number of Defendants:1 ☒

2-7 _____

8 or more _____

Is This Case Under Seal?

Yes _____

No ☒**Does this case involve ONLY charges under 8 U.S.C. § 1325 and/or 1326?**

Yes _____

No ☒**Venue (Per Crim. L.R. 18-1):**SF _____ OAK _____ SJ ☒**Is this a death-penalty-eligible RICO Act gang case?**

Yes _____

No ☒**Assigned AUSA (Lead Attorney):**

AUSA THOMAS A. COLTHURST

Comments:**Date Submitted:**

July 25, 2012